

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR APRIL 9, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** March 26, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- * **1. USE PERMIT NO. P-UP2003-6 and S-ZONE AMENDMENT (P-SA2003-13):** A request to locate an approximately 11,500 square foot specialty retail store selling alcoholic and non-alcoholic beverages, gourmet food and accessories (Beverages and More) at 1210 Great Mall Drive (APN: 086-24-055). Project Planner: Troy Fujimoto, 586-3287. (PJ# 3156) *(Recommendation: Approval with Conditions)*
- 2. USE PERMIT NO. P-UP2003-4 and S-ZONE AMENDMENT (P-SA2003-22):** Request to install 6 telecommunications antennas on the building roof, and equipment cabinets in a ground enclosure, at Heald College, 341 Great Mall Pkwy (APN: 86-24-57). Applicant: Verizon Wireless. Project Planner: Annelise Judd, 586-3273. (PJ# 2319) *(Recommendation: Approval with Conditions)*
- * **3. USE PERMIT NO. P-UP2003-7 and S-ZONE AMENDMENT (P-SA2003-21):** Request to install 3 telecommunications antennas inside the church tower, and equipment cabinets in a ground enclosure, at Mt. Olive Church, 1989 E. Calaveras Blvd. (APN: 29-25-7). Applicant: Sprint. Project Planner: Annelise Judd, 586-3273. (PJ# 2320) *(Recommendation: Approval with Conditions)*

- * 4. **SIX-MONTH REVIEW OF USE PERMIT AMENDMENT NO. P-UA2002-22:** Verification of compliance with conditions of approval and Resolution No. 449 for a restaurant with outdoor seating (a total of 28 seats indoors and outdoors) at 279 Jacklin Road (APN 29-28-029). Applicant: Mercedes Albana. Project Planner: Staci Pereira, 586-3278. (PJ#2308) (*Recommendation: Note receipt and file*)
- * 5. **USE PERMIT NO. P-UP2003-9:** A request to operate a 1,200 square feet grocery store and meat market (Milpitas Halal Market), at 74 Dempsey Road (APN 88-04-001). Applicant: Al-Khafaji Hassan. Project Planner: Staci Pereira, 586-3278. (PJ# 2321) (*Recommendation: Approval with Conditions*)
- 6. **AMENDMENT TO THE ZONING ORDINANCE TEXT (P-ZT2003-1):** (*Continued from March 12, 2003*) Amendment to Title XI, Chapter 10 (Planning, Zoning, and Annexation) of the Milpitas Municipal Code Relating to Establishing Affordable Housing Regulations and In-Lieu Housing Fee. Staff Contact: Felix Reliford, 586-3071. (*Recommendation: Recommend approval to City Council*)
- 7. **AMENDMENTS TO THE GENERAL PLAN AND MIDTOWN SPECIFIC PLAN, AMENDMENTS TO THE ZONING ORDINANCE TEXT AND MAPS, AND OF A RELATED DRAFT NEGATIVE DECLARATION (P-GM2003-1, P-ZT2003-1, P-ZC2003-1, P-EA2003-1):** (*Continued from March 26, 2003*) Recommend to City Council to:
 - 1. Adopt a resolution approving the Negative Declaration (EIA NO. P-EA2003-1);
 - 2. Adopt a resolution approving General Plan and Midtown Specific Plan map amendments (P-GM2003-1) relating to properly designating existing parks in the POS classification;
 - 3. Adopt a resolution approving General Plan and Midtown Specific Plan map amendments (P-GM2003-1) affecting the Midtown Plan Area relating to the addition of three (3) Serra Center parcels to the Midtown Specific Plan Area;
 - 4. Adopt Ordinance No. 38.761 for amendments to the Zoning Ordinance text and map (P-ZT2003-1 and P-ZC2003-1) affecting Midtown Plan Area relating to text amendment item nos. 8, 14, 19, 20, 26, 27, 28, 29, 30, and 34; and
 - 5. Adopt Ordinance No. 38.761 for amendments to the Zoning Ordinance text and map (P-ZT2003-1 and P-ZC2003-1) not affecting Midtown Plan Area relating to text amendment item nos. 1, 3, 4, 6, 7, 11, 13, 15, 17, 18, 21, 22, 23, 24, 25, 31, 32, and 35.

Project Planner: Staci Pereira, 586-3278 (*Recommendation: Approval to City Council*)

- * 8. **USE PERMIT NO. P-UA2002-8:** *(Continued from February 26, 2003)* A request for beer and wine sales and a reduction in the number of parking spaces required by the zoning code in conjunction with a request to add 12 seats to an existing 37-seat Tofu House restaurant. (APN 022-25-041). Applicant: Sung Ho Yoon. Project Planner: Troy Fujimoto 586-3287. (PJ#2245) *(Recommendation: Continue to May 28, 2003)*

IX. NEW BUSINESS

9. **RESOLUTION NO. 492 (P-AD2003-4):** Adoption of a Resolution finding the proposed Eighth Amendment to the Redevelopment Plan for Project Area No. 1 conforms to the General Plan and recommending approval of the Eighth Amendment and certification of the Environmental Impact Report to the Redevelopment Agency and City Council. Staff Contact: James Lindsay, 586-3274. *(Recommendation: Adopt Commission Resolution)*
10. **PRESENTATION OF 2003-2008 CAPITAL IMPROVEMENT PROGRAM:** Presentation of an overview of the proposed Draft 2003-2008 CIP Document for recommendation to Council. Staff Contact: Mike McNeely, 586-3301. *(Recommendation: Review park segment projects and advise staff accordingly)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS April 23, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at **6:30 P.M.** on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard, however, this meeting will take place in the Building Conference Room.

- a. **S-ZONE AMENDMENT NO. P-SA2003-36:** Request to replace existing seven (7) foot tall chain link fence with an eight (8) foot tall chain link fence with slats at rear of trucking yard located at 231 Houret Drive. Applicant: Universal Sweeping Services. Project Planner: Kim Duncan, 408-586-3283.
- b. **S-ZONE AMENDMENT NO. P-SA2003-42:** Request to apply polyurethane foam (SPF) roofing material on existing industrial building metal roof located at 1200 Ames Avenue. Applicant: Whiteside Construction. Project Planner: Kim Duncan, 408-586-3283.